

Summary of March 31, 1999
Indiana Department of Environmental Management (IDEM) and
Clean Manufacturing Technology and Safe Materials Institute (CMTI)
Meeting with Metal Finishers and POTWs Participating in
CSI Metal Finishing Strategic Goals Program

The meeting was called to order at 9:40 a.m. by facilitator John Lingelbach. After explaining the meeting objectives and introductions by those in attendance (**meeting roster attached**), the following presentations were made:

OPENING REMARKS

Felicia George, IDEM Assistant Commissioner, stated that IDEM's involvement and support of the Strategic Goals Program (SGP) came in part from its interest in a multimedia, sector-based regulatory approach. The broad range of work on the SGP serves as a model for other industrial sectors. The agency is committed to working together with other SGP stakeholders to assist SGP metal finishers in obtaining their facility-based and industry-wide goals. At today's meeting we plan to determine what concrete next steps need to be taken in 1999 to continue making progress in achieving these performance goals.

STRATEGIC GOALS PROGRAM UPDATES

Matt Gluckman, EPA Region 5 SGP Co-Lead

1. Since kick-off of the SGP a little more than a year ago, there has been a leveling off of people coming into the Goals Program. The optimists have signed on; others appear to be taking a "wait back and see" approach. Success of the SGP depends a lot upon the leaders who have signed on.
2. In Region 5, five (5) of the six (6) states have officially signed on (except Ohio); including a substantial number of metal finishers. Since the SGP kick-off meeting in November, the Elkhart POTW has officially signed on, joining Muncie as a signatory POTW.
3. Last year, EPA Region 5 mainly worked with states to get the word out about the Goals Program and to get communities to sign on; and to pull together key government and other stakeholder components together to get the critical mass to get things moving. The key components are in place in Indiana.
4. In Region 5, the closest to implementation stage is in the Chicago area. Rich Sustich is here today to discuss the work which has been done in the area as they work with companies on a daily basis.
5. The Addison, Illinois POTW is also beginning to form a small stakeholder group.
6. A lot of support in Indiana from IDEM, CMTI, POTWs and industry. The proposed SGP incentives list developed by metal finishers has several good possibilities - several of those appeared on similar lists developed in other areas; Chicago in particular.
7. In Wisconsin, the state is supporting and pushing the program and industry is interested, but hard to get major POTW support.
8. In Michigan and Minnesota, the states have signed on, but not yet laid out an active implementation schedule.
9. Although Ohio has not signed on, one of their POTWs has signed on.
10. Indiana is as far along as anyone at this point.
11. EPA plans to follow-through on interest to get some of the things on the incentives list going.
12. EPA looking for ways to remove some of the barriers to move these companies forward. EPA also hopes to foster models in a few locations so others can pick and choose what we want. EPA is also monitoring activities around the country to see how they can support these efforts.
13. A number of guidance documents have come out of the EPA Headquarters Office of Water; including training videos to support POTWs in implementing their local programs. EPA is also providing some pollution prevention grant monies and providing facilitation of SGP meetings such as today's Indiana meeting.

John Lingelbach also noted his past work working with the National Metal Finishing Subcommittee and the need to decentralize the Goals Program to the local level during the program implementation phase we're now in.

Nate Nemani, EPA Region 5 RCRA Program

1. Sue Claussen asked who to direct comments to regarding proposed changes to the RCRA 90-day hazardous waste accumulation requirements. The due date for comments to extend the accumulation requirements to 180 days is April 2, 1999. Mr. Nemani indicated this information is provided at the end of the Federal Register notice.
2. Mr. Nemani explained that approximately 15 years ago, electroplating wastes were deemed a listed hazardous waste (i.e., F006) due to the hazardous nature and toxicity of the waste constituents (e.g., cadmium, chromium, nickel, complex cyanide).
3. As part of the SGP, EPA has completed Phase I of a benchmarking study of the composition, quantities, characteristics and handling practices of metal finishing wastewater treatment sludges, using current national and regional sampling data.
4. At the November 1998 Indiana meeting, questions were raised about F006 delisting petitions. However delisting provisions are only applicable to disposal of the wastes in a landfill; with the incentive being disposal of the waste in a less costly Subtitle D (solid waste) landfill over a Subtitle C (hazardous waste) landfill.
5. RCRA provides an option for beneficial metals recovery. A company can petition EPA or the delegated state to exempt the waste as a solid waste. These provisions are found in 40 CFR 260.31, 260.40 and 260.41. Indiana is a delegated RCRA state.

John Lingelbach also noted that Phase 2 of the F006 benchmarking study has begun which is also looking at subwastestreams in non-hazardous waste.

Richard Sustich, Metropolitan Water Reclamation District of Greater Chicago

1. Began working on SGP in January 1998. One of first things accomplished was to identify industry leaders and meet with them. Initially met with these folks May to July. First stakeholder meeting in October 1998. Group came up with a list of 15 items - several of which are reflected on Indiana's SGP incentives list.
2. Divided into **four** (4) main workgroups:
 - A. Public Recognition/Community Relations and Access to Information
 - as you move down path, incremental awards
 - level of outreach/participation incrementally tied to performance milestones
 - examples: fact sheet about your facility for neighbors and a neighbor contact person; host annual open house of your facility
 - B. Technical and Financial Assistance
 - number of providers; including the Univ. of Illinois which is similar to Purdue/CMTI
 - goals attainment plan
 - ADOPT Program - move pollution prevention technologies out to companies to show they work in the real world. Provided at no cost to facility, but facility must let others come in to that part of their facility to view how the P2 technology works (mentoring program). Low risk method of checking out new technology along with regulatory flexibility as you test new methods
 - C. Performance Verification and Assistance
 - short audits by stakeholder partners (e.g., energy audits)
 - Chicago performance ladder based on composite incremental progress; when 1/3 way to achieving goals company has reached the "green" level; at 2/3 the "silver" level; and at the 3/3 mark - the "gold" level. Chicago model looks at composite performance for all SGP goals; versus the Statesville, North Carolina model which looks at performance levels based on the number of national goals addressed. In Statesville model, a Progress/Incentive Chart will be used to determine levels and types of incentives to be granted to participating SGP facilities.
 - D. Long-Term Financial Credits and Tax Credits
 - look at what types of incentives can be offered. Chicago can offer monitoring flexibility. Looking at where industry spends its money in regard to pretreatment and environmental protection.
 - explore tax credits for pollution prevention

Debbie Dubenetzky, IDEM and Shayla Barrett, CMTI

1. SGP kickoff meeting held at IDEM in Indianapolis November 19, 1998. POTWs met in the morning; followed by a meeting with SGP metal finishers and other interested stakeholders in the afternoon. Key EPA Headquarters and Region 5 staff attended the meeting; as well as national industry representatives (i.e., Bob McDowell) and local metal finishing trade representatives.
2. At that meeting, we agreed that CMTI would followup by meeting with SGP metal finishers to develop possible incentives list. IDEM would then convene the POTWs of those companies to consider the incentives proposed by the metal finishers and any other possibilities. This stakeholder group would then reconvene in the spring (today's meeting) to determine which of those incentives would be pursued in both the short and long-term.
3. CMTI and metal finishers met in January; and addressed each of the 16 incentives compiled by CMTI based upon discussions/issues from the November 1998 Indiana SGP meeting. From this discussion, a listing of 12 incentives was offered to IDEM and the POTWs for consideration at their meeting (list distributed - attached). Attendance by metal finishers at that meeting was limited due to inclement weather in central Indiana. Bill Blue and Debbie Dubenetzky attended the meeting on behalf of IDEM. CMTI/metal finishers also met a second time for general discussion about the three (3) SGP facility-based goals and two (2) industry-wide goals.
4. IDEM met with POTWs through the IWPCA Pretreatment Committee in February. POTWs were urged to actively participate and support the SGP by Claudio Ternieden and Debbie Dubenetzky of IDEM. Shayla Barrett of CMTI also attended the meeting and urged POTW support of the metal finishers in the SGP. The listing of incentives proposed by the metal finishers was presented to the POTWs and discussed. Minor language revisions and clarification of some items contained in the incentives list were suggested.
5. Today we hope to once again revisit this list of 12 proposed incentives and determine what steps need to be taken to move forward in implementing the SGP in Indiana.
6. Claudio Ternieden of IDEM added that we might also consider other possible technical and verification assistance resources such as graduate students from university programs. Mr. Ternieden had experience working with Notre Dame graduate students in his former role as director of the Elkhart pretreatment program.
7. Claudio also noted that Chicago has the Illinois Department of Commerce at the table working with them; and today we have Melanie Darke of the Indiana Department of Commerce with us.
8. As for environmental representative involvement in the Indiana stakeholder group, Debbie has copied environmental group representatives on the letter announcing the November meeting and today's meeting. She has also made a presentation regarding the multimedia compliance pilot project and the Strategic Goals Program to a group of environmental representatives during one of their monthly meetings with IDEM's Commissioner. At the meeting, a representative of the United Steelworkers of America specifically asked to be added to our SGP mailing list.
9. As for any concerns that IDEM staff working on the multimedia compliance pilot metal finishing sector team are the same staff working on SGP implementation; Debbie noted that IDEM's SGP staff include: Claudio Ternieden and Bill Blue of the Water Program; Mark Stoddard of the Office of Pollution Prevention and Technical Assistance (OPPTA), Gary Romesser of the RCRA Program, and Debbie Dubenetzky. Debbie is overall coordinator of the multimedia compliance pilot which includes five (5) industry sectors, including metal finishing. The metal finishing sector team is lead by Gary Romesser, with compliance representatives/inspectors from the air, water, and solid and hazardous waste programs making up the sector team.
10. Debbie also noted that Gary's sector team has been conducting varying levels of multimedia inspections and has performed limited inspections of Indiana metal finishers, including some SGP metal finishers. No major problems have been discovered during our visits to SGP facilities. However, single-media inspections of metal finishers by other IDEM inspectors will continue and Debbie is hopeful that SGP metal finishers are currently in compliance in all media and continue to seek any assistance in pursuing "beyond compliance" opportunities.

11. Claudio also noted IDEM's commitment to provide SGP outreach at the local level to assist POTW participation in the Goals Program.

COMMENTS/QUESTIONS ON SGP PARTICIPATION AND THE GOALS

Carol McDowell of McDowell Enterprises expressed concerns that except for Elkhart and Muncie, no other Indiana POTWs have officially signed on to the Goals Program. She also noted that 4 of the 12 proposed incentives involve the POTWs.

Kevin Frecker of Baycote asked what the benefits were to POTWs to participate in the Goals Program. Claudio Ternieden responded that municipalities may use the SGP as a framework for what they may already be doing locally with their Significant Industrial Users.

Sue Claussen/Mike Hoffman of the Michigan City POTW asked for confirmation that by participating in the SGP, the POTW would receive expedited review of their programs by EPA/IDEM. Matt Gluckman of EPA responded affirmatively that he would give SGP POTW's priority in review of their program submittals. Claudio Ternieden also responded that IDEM's Office of Water Management was also committed to providing this assistance.

Tim Goldy of the Elkhart POTW noted that Elkhart, IDEM and the Elkhart metal finishers could work together and their accomplishments and "lessons learned" could potentially serve as a model for other POTWs in this group.

John Lingelbach suggested that the group proceed by forming distinct ad hoc workgroups to address each of the twelve (12) proposed SGP incentives. The designated workgroups, incentive numbers to be addressed, designated leads, and participants are noted below:

POTW Issues Workgroup

Incentives to be addressed:

2. IDEM/Region 5 send a letter to all Indiana POTWs encouraging them to revise their rules, if possible, to accommodate those metal finishers (Mfs) that attain the goals of the SGP.
 3. IDEM request that POTW change sampling frequency for Mfs that attain SGP to be no more frequent than EPA federal regulations. Also, EPA investigate changing sampling frequency for metals not used by Mfs to initial scan only. (Incentive to be revised so that it is less vague).
 4. IDEM/OPPTA provide resources to Indiana POTWS to revise ordinances to get P2 advantages for Mfs that achieve goals. IDEM to provide education for POTWs and their elected officials to foster a better understanding of regulations and the SGP.
- NOTE: Shayla Barrett commented that John Chavez, Pollution Prevention Branch Chief for OPPTA, had commented the previous day that IDEM did not currently have grant monies available to provide to POTWs.
5. IDEM request POTWs to grant amnesty, based on past performance history, to SGP Mfs for voluntary reporting of undocumented violations (Incentive to be revised so that it is less vague).
 8. The reduction in mass loading achieved by SGP MF shall not be re-allocated to non-SGP participants.
 11. Provide overall reductions in requirements for recordkeeping, reporting, and sampling for SGP MF that attain the goals.

Other: - recruiting POTWs, platers, etc.
- hybrid pretreatment programs
- developing model process and programs, transferring Elkhart "lessons learned", etc.
- identifying benefits, particularly for POTWs

Workgroup Leads/Participants:

Claudio Ternieden, IDEM - Co-lead
Shayla Barrett, CMTI - Co-lead
Matt Gluckman, EPA Region 5

Carol McDowell, McDowell Enterprises
Sue Claussen/Mike Hoffman, Michigan City POTW
Tim Goldy, Elkhart POTW

RCRA Issues Workgroup

Incentives to be addressed:

1. EPA Region 5 commits to develop fast track processing of delisting petitions.
12. Allow on-site, in-house processing of hazardous wastes for SGP MF that attain the goals.

Workgroup Leads/Participants:

Gary Romesser, IDEM - Co-lead

Jim Baldwin, Triplex Plating

Mark Sutton, H.H. SUMCO - Co-lead

Nancy Norton, Imagineering Enterprises

Nate Nemani, EPA Region 5

Tom Maddux, Metal Plate Polishing

Kevin Frecker, Baycote Manufacturing

Ted Heemstra, Chemical Recovery Systems

Recognition

Incentives to be addressed:

9. Promote a good-neighbor relationship by communicating SGP participants' activities to their communities and customers. (Recognition from State).
10. Provide permit fee rebates of 25% if goals attained.
11. Provide overall reductions in requirements for recordkeeping, reporting, and sampling for SGP MF that attain the goals.

Other: 100% Club, Audit Immunity Process.

Workgroup Lead/Participants:

Debbie Dubenetzky, IDEM - Lead

Jerry Phillips, Finishing Concepts

Alice Smith, CMTI

Al Mayo, Commercial Plating

Technical and Financial Assistance

Incentives to be addressed:

6. EPA will use its good office to influence funding sources to approve loans to SGP Mfs for purchase or modification of equipment and/or processes to lessen environmental impact.
7. CMTI will provide technical assistance to attain goals and will partner with other private/public entities to provide technical assistance to SGP participants.

Other: Long-term financial incentives.

Workgroup Lead/Participants:

Shayla Barrett, CMTI - Lead

Jerry Phillips, Finishing Concepts

Mark Stoddard, IDEM

Judy Fisher, Electrochemical Coatings

Melanie Darke, IN Dept. of Commerce

Kathy Luther, IDEM (NWRO-water)

NEXT STEPS

1. Workgroups to meet and develop one to two (1-2) pages in writing to describe the issues and strategies most helpful in addressing the issues. Issue papers to include ideas, proposals, and recommendations.
2. Issue papers to be distributed in advance of next full stakeholder meeting.
3. Next full stakeholder meeting tentatively scheduled for May 27, 1999 in South Bend, Indiana. Debbie Dubenetzky will work to find suitable meeting location and will distribute meeting announcement with agenda and issue papers in advance.

The facilitator adjourned the meeting at 12:00 p.m.